

SENATE BILL

No. 403

Introduced by Senator Machado

February 21, 2001

~~An act to amend Sections 12722 and 12724 of the Business and Professions Code, relating to weights and measures. An act to add Chapter 13.5 (commencing with Section 22210) to Division 8 of the Business and Professions Code, relating to recycled concrete.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 403, as amended, Machado. ~~Weighmaster: tare weights~~
Recycled cement.

Existing law requires the Department of Toxic Substances Control to adopt, by regulations, criteria and guidelines for the identification of hazardous waste. Existing law excludes from classification as a hazardous waste cementitious material that is a nonaqueous waste, is managed in a specified manner at the cement manufacturing facility where it was generated, and would otherwise be classified as a hazardous waste based solely on a specified test concerning the corrosivity of a waste.

This bill would authorize the use of recycled concrete, as defined, if the end user has been fully informed that the concrete is recycled concrete.

~~Existing law authorizes any weighmaster to use a predetermined tare weight for any vehicle, container, or pallet or for any vehicle moving earth, stone, rock, sand, gravel, or asphalt paving material.~~

~~This bill would additionally authorize a weighmaster to use a predetermined tare weight for any vehicle moving ready mixed concrete.~~

~~Existing law authorizes predetermined tares with the driver in vehicle for vehicles moving earth, stone, rock, sand, gravel, and asphalt paving material if the gross weight is determined the same way and the weighmaster indicates on the weighmaster certificate that the driver was in the vehicle for both gross and tare weights.~~

~~This bill would additionally authorize a weighmaster to follow the same procedure with the driver in the vehicle when determining gross and tare weights for any vehicle moving ready mixed concrete.~~

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. — Section 12722 of the Business and Professions~~
2 *SECTION 1. Chapter 13.5 (commencing with Section 22210)*
3 *is added to Division 8 of the Business and Professions Code, to*
4 *read:*

5
6 *CHAPTER 13.5. RECYCLABLE CONCRETE*
7

8 *22210. (a) Recycled concrete, as defined in subdivision (b),*
9 *may be used if the end user has been fully informed that the*
10 *concrete is recycled concrete.*

11 *(b) As used in this section, “recycled concrete” means concrete*
12 *that is composed of any of the following:*

13 *(1) Up to 15 percent by volume of returned, liquid concrete.*

14 *(2) Up to 35 percent by weight of reclaimed water created by*
15 *the recycling and manufacturing process.*

16 *(3) Up to 30 percent of recovered or reprocessed aggregate.*

17 *(c) The use of reclaimed water that is in compliance with ASTM*
18 *C-94 shall not apply to this section.*

19 ~~Code is amended to read:~~

20 ~~12722. — (a) In accordance with this chapter and regulations~~
21 ~~adopted by the director, any weighmaster may use a tare weight for~~
22 ~~a vehicle, container, or pallet that has been previously determined~~
23 ~~by a weighmaster. It is the responsibility of the party for whom the~~
24 ~~tare weight was established to maintain the tare weight within the~~
25 ~~variations prescribed by the director.~~

26 ~~(b) Any weighmaster weighing any vehicle moving earth,~~
27 ~~stone, rock, sand, gravel, asphalt paving material, or ready mixed~~

1 ~~concrete may use a predetermined tare weight. The issuance of~~
2 ~~predetermined tare weights are exempt from the provisions of~~
3 ~~Subchapter 9 (commencing with Section 4400) of Chapter 9 of~~
4 ~~Title 4 of the California Administrative Code. It is the~~
5 ~~responsibility of the party for whom the tare weight was~~
6 ~~established to maintain the actual weight so that the actual tare~~
7 ~~weight of the vehicle shall at no time exceed the recorded tare~~
8 ~~weight.~~

9 ~~SEC. 2.—Section 12724 of the Business and Professions Code~~
10 ~~is amended to read:~~

11 ~~12724. (a) Except as provided in this section, a weighmaster~~
12 ~~weighing a vehicle for certification shall determine both gross and~~
13 ~~tare weights with all persons off the scale and vehicle, unless both~~
14 ~~the gross and tare weights are determined without leaving the~~
15 ~~weighing location.~~

16 ~~(b) Predetermined tares for vehicles moving earth, stone, rock,~~
17 ~~sand, gravel, asphalt paving material, or ready mixed concrete may~~
18 ~~be determined with the driver in the vehicle, if the gross weight is~~
19 ~~determined in the same manner and the weighmaster indicates on~~
20 ~~the weighmaster certificate that the driver was on the vehicle for~~
21 ~~both gross and tare weight.~~

